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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/542,835	07/20/2005	Peter Anton Hulsen	NL 030075	9016
24737 7590 05/31/2007 PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			EXAMINER FENWICK, WARREN K	
			ART UNIT 2809	PAPER NUMBER
			MAIL DATE 05/31/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/542,835

Applicant(s)

HULSEN ET AL.

Examiner

Warren K. Fenwick

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 July 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/20/05 and 3/15/06</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statements (IDS) submitted on 07/20/2005 and 03/15/2006 are in compliance with the provisions of 37 CFR 1.97. Accordingly, the IDS are being considered by the examiner.
2. The listing of references in the specification is not a proper IDS. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609.04(a) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." However, since the references listed in the specification are also listed on the applicant's IDS (form USPTO 1449), those references have been considered by the examiner.

### ***Foreign Priority***

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claims 1-5, 7-10** are rejected under 35 U.S.C. 102(b) as being anticipated by Murphy et al. (U. S. Patent # 6,282,362 B1).

6. Regarding **claim 1**, Murphy et al. disclose a method for adding in a device, which comprises a camera component, metadata to pictures, said method comprising:

- taking a picture of an object by means of said camera component (column 14, lines 22-27);
- receiving from a communication unit associated to said object signals (GPS (column 14, lines 34-40) and attitude (column 14, lines 50-54)) comprising information on said object via a wireless connection; and
- causing a storage of said information as metadata together with data of said picture (column 15, lines 21-28).

7. Regarding **claim 2**, Murphy et al. disclose a method comprising searching the ether for signals comprising information on said object, which signals are transmitted via the air interface by a communication unit associated to said object (column 11, lines 49-52).

8. Regarding **claim 3**, Murphy et al. disclose a method comprising searching and identifying a communication unit associated to said object based on identification signals transmitted by said communication unit, and connecting to said identified communication unit, in order to cause said communication unit to transmit signals comprising information on said object (column 11, lines 52-58).

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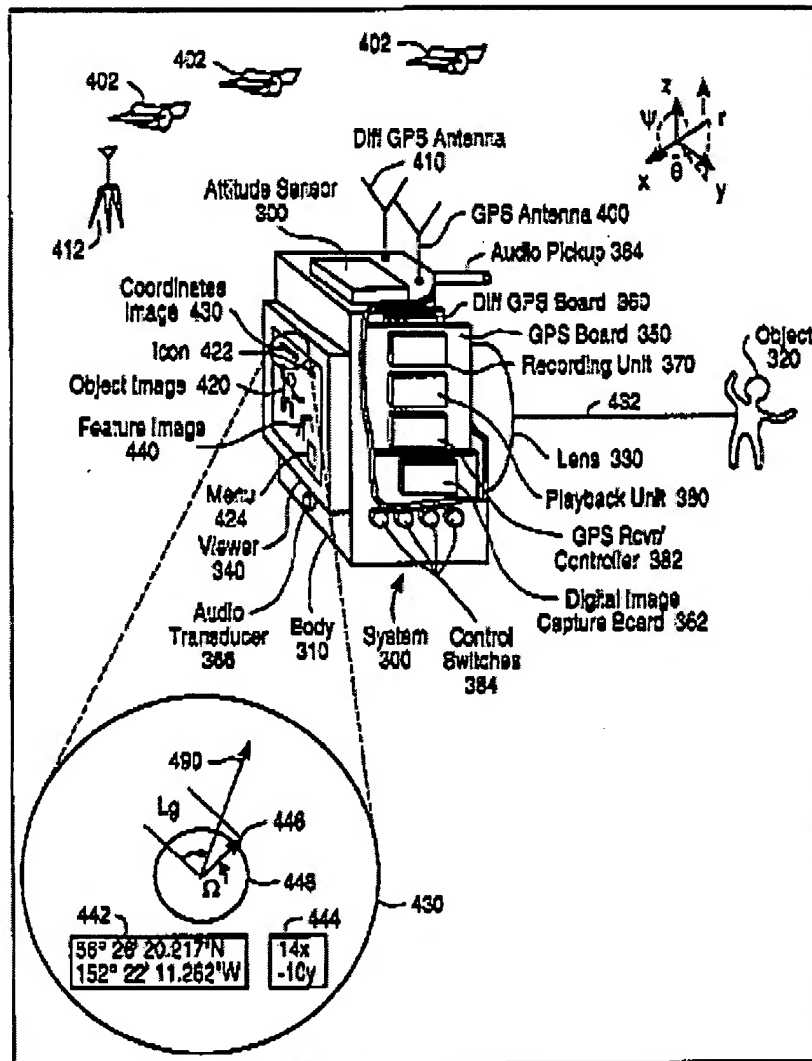
9. Regarding **claim 4**, Murphy et al. disclose a method further comprising determining strength and direction of signals comprising information on said object when received at said device, and storing an information on said signal strength and said direction of signals as additional metadata together with said data of said picture of said object (column 16, lines 25-32).

10. Regarding **claim 5**, Murphy et al. disclose a method further comprising determining a location of said object by evaluating strength and direction of signals comprising information on said object when received at said device, and storing an information on said location as additional metadata together with said data of said picture of said object (column 16, lines 25-32).

11. Regarding **claim 7**, Murphy et al. disclose a method, wherein said communication unit is a dedicated identification tag which is arranged at or close to an object and which transmits an information identifying said object via a wireless connection (column 15, lines 57-62).

12. Regarding **claim 8**, Murphy et al. disclose a method, wherein said communication unit is a location based server which is associated to at least one object in the environment of said location based server and which can be caused by said device to transmit signals comprising information on said at least one object (column 15, lines 57-62).

13. Regarding **claim 9**, Murphy et al. disclose an electronic device (a highly integrated portable system, Figure 2, element 300) comprising:



**FIG. 2 HIGHLY INTEGRATED PORTABLE SYSTEM**

- a camera component (Figure 2 element 310) for taking a picture of an object (Figure 2, element 320);
- a receiver component (a Differential Ready GPS printed circuit board, Figure 2, element 360 and attitude sensor, Figure 2, element 390) for receiving via a wireless connection information on an object in a picture

(Figure 2, element 420) taken with said camera component from a communication unit associated to said object; and

- a processing component (Figure 2, element 310) for associating information on an object received by said receiving component to data of a picture of said object taken by said camera component, and for causing a storage of said information as metadata together with said data of said picture.

14. Regarding **claim 10**, Murphy et al. disclose a system comprising an electronic device with:

- a camera component (Figure 2 element 310) for taking a picture of an object;
- a receiver component (a Differential Ready GPS printed circuit board, Figure 2, element 360 and attitude sensor, Figure 2, element 390) for receiving via a wireless connection information on an object in a picture taken with said camera component from a communication unit associated to said object; and
- a processing component (Figure 2, element 310) for associating information on an object received by said receiving component to data of a picture of said object taken by said camera component, and for causing a storage of said information as metadata together with said data of said picture;

***Claim Rejections - 35 USC § 103***

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

- 1) Determining the scope and contents of the prior art.
- 2) Ascertaining the differences between the prior art and the claims at issue.
- 3) Resolving the level of ordinary skill in the pertinent art.
- 4) Considering objective evidence present in the application indicating obviousness or nonobviousness.

17. **Claim 6** is rejected as being unpatentable over Murphy et al. (U. S. Patent # 6,282,362 B1) as applied to claim 1 above in view of Wilska et al. (U. S. Patent # 6,427,078 B1). Murphy et al. teaches all the claimed limitations presented in claim 1.

18. However, regarding **claim 6**. Murphy et al. does not disclose a method, wherein said communication unit is a mobile device carried by a person, and wherein said information consists in business card information transmitted by said mobile device via a wireless connection.

19. Wilska et al. teach a "Device for Personal Communications, Data Collection and Data Processing, and Circuit Card", which utilizes the wireless transmission of business



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card images, taken by a camera device coupled with a notebook computer, and displayed on handheld mobile units (column 5, lines 14-35).

20. It would have been obvious to one of ordinary skill in the art at the time the invention was made that a method of adding data to pictures as disclosed by Murphy et al. to also have enhanced image processing, transmission, and display capabilities as taught by Wilska et al. to enable wireless phone users to receive and display business cards with associated metadata on their wireless device displays.

### ***Conclusion***

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art references are, made of record and not relied upon, are presented in the following paragraphs.

22. Emerson (U. S. Patent # 5,778,370) discloses a "Data Village System".

23. Beck et al. (U. S. Patent # 6,138,139) disclose a "Method and Apparatus for Supporting Diverse Interaction Paths Within a Multimedia Communication Center".

24. Beck et al. (U. S. Patent # 6,167,395) disclose a "Method and Apparatus for Creating Specialized Multimedia Threads in a Multimedia Communication Center".

25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Warren K. Fenwick whose telephone number is 571-270-3040. The examiner can normally be reached on Mon - Fri 9A to 5:30P, Eastern Time.

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26. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Assouad can be reached on 571-272-2210. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

27. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

WKF

A handwritten signature in black ink, appearing to read "Patrick Assouad".

**PATRICK ASSOUD  
SUPERVISORY PATENT EXAMINER**